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June 5, 2024

Honorable Mary Kay Vyskocil
United States District Judge
United States District Court
For the Southern District of New York
500 Pearl Street
New York, NY 1007-1312

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6/21/2024
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**Re: *Ness Healthcare, NFP d/b/a Northlake Behavioral Health System v. Starr
Surplus Lines Insurance Company* – PROPOSED JOINT STIPULATION TO
EXTEND DISCOVERY DEADLINES**

Civil Action No. 1:23-cv-9684 (MKV)

Dear Judge Vyskocil:

Pursuant to the Court's Case Management Plan and Scheduling Order filed on March 13, 2024 (the "Order") (ECF No. 39), Plaintiff Ness Healthcare, d/b/a Northlake Behavioral Health System ("Ness") and Defendant Starr Surplus Lines Insurance Company ("Starr") (collectively the "Parties"), jointly and respectfully request that this Court extend the current deadlines set forth in this Court's Order for 90 days.

The parties have been diligently working together on progressing this matter. However, one item that needed to occur before meaningful discussion and discovery could take place, was a joint reinspection of the claimed affected property (which includes multiple buildings). After working together to coordinate the schedules of 10 professionals (between both sides), on May 23 and 24, 2024, the parties completed reinspection of the Property.

However, Ness does not expect to have its experts' reinspection report(s) until June 28, 2024. The reinspection report(s) will provide Ness information that it has advised it is lacking regarding the potential damages (or lack thereof) at issue in this action. In other words, without the reinspection report(s), Ness has been unable to meaningfully engage in discussions regarding the alleged damage to the Property and potential damages sought in the litigation. Upon receipt of the reinspection report(s), which should also include repair estimates, Ness anticipates making a settlement demand to Starr. Despite that, the reinspection report will also likely prompt the parties to pursue additional discovery based on the information learned during the reinspection. For those reasons, the parties need additional time in order to conduct discovery and identify expert witnesses. As such, the

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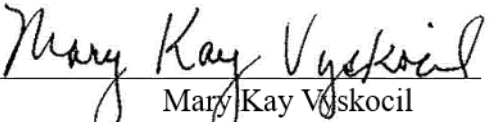
Parties propose the following extended deadlines, to account for the delay in getting started with understanding the claims and damages at issue in this matter:

Deliverable	Current Deadlines (all 2024)	Proposed Deadlines (all 2024)
Interrogatories to be served	5/24	8/23
Requests to Admit to be served	5/24	8/23
Meet and Confer re: Expert Discovery	6/10	9/9 ¹
Depositions Completed	6/28	9/27
Fact Discovery Completed	7/10	10/9
Joint Status Letter and pre-motion submissions for any contemplated MSJs.	7/17	10/16
Expert Discovery Completed	9/9	12/9 ²
Joint Status Letter re: status of the case	9/12	12/11
In person Post-Discovery Conference Location: Courtroom 18C of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY. <i>[If no SJ motion is anticipated, the Post-Discovery conference will serve as a pre-trial conference]</i>	9/19	12/18 12/19 at 11 a.m.

Thank you for your consideration.

Granted. SO ORDERED. Given the extraordinary length of this extension, the Court will not entertain further requests for extensions of time to complete discovery.

Date: June 21, 2024
New York, New York


Mary Kay Vyskocil
United States District Judge

¹ A 90-day extension falls on Sunday, September 8, 2024, so the proposed deadline falls to the next business day.

² A 90-day extension falls on Sunday, December 8, 2024, so the proposed deadline falls to the next business day.